



MEMORANDUM

Agenda Item 15(B)2

TO: Honorable Chairman Bruno A. Barreiro and
Members, Board of County Commissioners

DATE: July 10, 2007

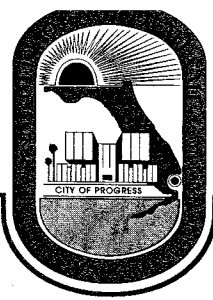
FROM: Honorable Harvey Ruvin, Clerk
Circuit and County Courts

SUBJECT: Resolution No. R-2007-80
City of North Miami

Kay Sullivan, Director
Clerk of the Board Division

Attached for your information is a copy of Resolution No. R-2007-80 of the Mayor and City Council of the City of North Miami, Florida, endorsing the recommendations contained in the final review report of the educational facilities impact fee ordinance and requesting that Miami-Dade County immediately implement the revisions; and providing for an effective date and all other purposes.

KS:fcd
Attachment



City of North Miami

776 Northeast 125th Street, P.O. Box 619085, North Miami, Florida 33261-9085

(305) 893-6511

June 22, 2007

Mr. Harvey Ruvin
Clerk of the Board of County Commissioners
Stephen P. Clark Center
111 NW First Street, Suite #17-202
Miami, Florida 33130

RE: City of North Miami Resolution R-2007-80 Endorsing Recommendations Contained in the Final Review Report of the Educational Facilities Impact Fee Ordinance And Requesting That Miami-Dade County Immediately Implement the Revisions

Dear Mr. Ruvin:

Enclosed please find Resolution R-2007-80 unanimously passed by the Mayor and City Council of the City of North Miami on June 12, 2007, endorsing recommendations contained in the Final Review Report of the Educational Facilities Impact Fee Ordinance and requesting that Miami-Dade County immediately implement the revisions.

The City of North Miami recognizes the Florida legislature through the enactment of Section 163.3202(3), Florida Statutes, has sought to encourage local governments to adopt Impact Fees.

The City of North Miami supports the recommendations contained in the School District's Final Report of the Impact Fee review and believes that the recommendations are fair and appropriate.

Sincerely,

FRANK WOLLAND
City Clerk

FW/jv

Enclosure

CLERK OF THE BOARD
2007 JUN 27 PM 4:24
CLERK OF THE BOARD
DADE COUNTY, FLA.
#1

RESOLUTION NO. R-2007-80

CLERK OF THE BOARD

2007 JUN 27 PM 4:24

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ENDORSING THE RECOMMENDATIONS CONTAINED IN THE FINAL REVIEW REPORT OF THE EDUCATIONAL FACILITIES IMPACT FEE ORDINANCE AND REQUESTING THAT MIAMI-DADE COUNTY IMMEDIATELY IMPLEMENT THE REVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the Florida legislature through the enactment of Section 163.3202(3), Florida Statutes, has sought to encourage local governments to adopt Impact Fees; and

WHEREAS, the current Miami-Dade County Educational Facilities Impact Fee Ordinance (Impact Fee Ordinance) adopted in 1995 requires that fees be collected at the time an application for building permit for the construction of new residential development (or additions to existing homes) is made to help mitigate the cost of the additional student stations generated from the impact of such new residential development; and

WHEREAS, Impact Fees are an essential component of the School District's capital funding for the construction of student seats to accommodate residential growth; and

WHEREAS, the City of North Miami recognizes that the current fees are inadequate, as they reflect construction market rates from the 1990's, and need to be updated to reflect current conditions; and

WHEREAS, the Impact Fee Ordinance requires that the Ordinance, its formula, and the Impact Fee methodology and Technical Report be reviewed regularly, and that, if appropriate, recommendations for revisions be submitted to the Board of County Commissioners; and

WHEREAS, the Interlocal Agreement for Public School Facility Planning in Miami-Dade County (Interlocal Agreement), which was executed on March 3, 2003, also mandates a comprehensive annual review; and

WHEREAS, in October 2004, the School Board initiated its review of the Impact Fee Ordinance, under the auspices of the Interlocal Agreement, in collaboration with community stakeholders, including representatives from Miami-Dade County, municipal governments and the residential development industry; and

WHEREAS, in January 2006, the School District completed its review and produced a final report that incorporated the input of the stakeholders which was forwarded in March 2006 to Miami-Dade County for implementation; and

WHEREAS, the proposed revisions to the current Impact Fee Ordinance have been incorporated into an Ordinance and must now be considered by the Miami-Dade County Board of County Commissioners; and

WHEREAS, the City of North Miami supports the recommendations contained in the School District's Final Report of the Impact Fee review and believes that the recommendations are fair and appropriate.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

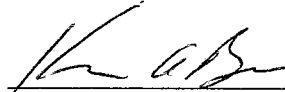
Section 1. **Approval of recommendations in the School District's report.** The Mayor and City Council of the City of North Miami fully supports and urges passage of the recommended revisions to the Impact Fee Ordinance. A copy of the approved impact fee schedule is attached hereto as "Exhibit A".

Section 2. **Authorization of City Manager.** The City Manager is authorized to take all steps necessary to solicit support in favor of passage of these revisions, a copy of which recommended elements are summarized in "Exhibit B" attached hereto, by the Miami-Dade County Board of Commissioners.

Section 3. **Direction to City Clerk.** The City Clerk is directed to forward a certified copy of this Resolution to all municipalities in Miami-Dade County, the Miami-Dade County School District, and to the Clerk of the Board of County Commissioners.

Section 4. Effective Date. This Resolution will be effective immediately upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 12 day of June, 2007.



KEVIN A. BURNS
MAYOR

ATTEST:

Deputy for 

FRANK WOLLAND
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



V. LYNN WHITFIELD
CITY ATTORNEY

SPONSORED BY: MAYOR KEVIN A. BURNS

Moved by: Mayor Burns

Seconded by: Councilman Galvin

Vote:

Mayor Kevin A. Burns
Vice Mayor Michael R. Blynn
Councilperson Scott Galvin
Councilperson Jacques A. Despinosse
Councilperson Marie Erlande Steril

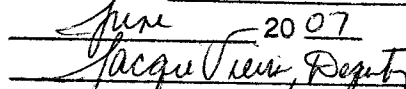
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)

CERTIFICATION

I certify this to be a true and correct copy of the record in my office.

WITNESSETH my hand and official seal of the City of NORTH MIAMI

Florida, this the 22 day of

June 20 07


Jacques A. Despinosse, Deputy City Clerk

EXHIBIT A

PROPOSED EDUCATIONAL FACILITIES IMPACT FEE SCHEDULE

Table 19
Net Impact Fee per Dwelling Unit

Type of Construction	No. of Bedrooms	Northeast	Northwest	Southeast	Southwest
Single Family Detached					
	0-1 BR	\$7,466	\$5,945	\$4,402	\$4,072
	2 BR	\$7,573	\$6,316	\$4,663	\$5,654
	3+ BR	\$9,435	\$8,595	\$7,611	\$8,275
Single Family Attached					
	0-1 BR	\$7,588	\$5,933	\$4,725	\$4,443
	2 BR	\$8,103	\$6,213	\$5,003	\$4,852
	3+ BR	\$8,427	\$7,452	\$6,973	\$8,071
Multi-Family (2-4 Unit)					
	0-1 BR	\$4,796	\$5,205	\$4,141	\$2,926
	2 BR	\$7,470	\$6,636	\$5,193	\$4,236
	3+ BR	\$8,962	\$8,621	\$7,235	\$7,787
Multi-Family (5+ Unit)					
	0-1 BR	\$1,368	\$2,852	\$2,592	\$3,391
	2 BR	\$2,048	\$5,733	\$2,511	\$3,740
	3+ BR	\$3,140	\$6,524	\$4,472	\$6,082

EXHIBIT B

THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI fully supports the proposed amendments to the Impact Fee Ordinance, pursuant to the recommendations of the School District's Final Impact Fee report dated January 11, 2006, to include the following elements, and requests that a certified copy of this Resolution be forwarded by the City Clerk to all relevant parties:

- Base impact fees on the type of housing unit (e.g. single-family detached, single-family attached and multi-family) and number of bedrooms, as opposed to square footage (see Exhibit "A"—Impact Fee Schedule);
- Utilize different student generation multipliers for each of the four proposed Benefit Districts to more accurately reflect development trends within each particular District;
- Increase the number of Benefit Districts from three to four to allow for more representative projects, as it relates to the specific area of impact;
- Retain the two percent administrative fee (1% each to County and School Board), currently assessed within the impact fee structure;
- Adjust Impact fees annually using a three-year rolling average based on the increase in construction costs as established by the Florida Department of Education for the allowable cost for student stations; and
- Re-evaluate the impact fee structure, including the student generation multipliers, in three years.
- Inclusion of affordable housing waivers, as authorized by the School Board on March 14, 2007, under the following:
 - Eligibility Criteria (waivers as function of AMI, to be updated annually):
 - Extreme low income (30% of AMI, or \$16,750) – provide a 100% waiver;
 - Very low income (50% of AMI, or \$27,950) – provide a 75% waiver;
 - Low income (80% of AMI, or \$44,700) – provide a 50% waiver.

Note: The proposed Impact Fee Waivers are contingent on the adoption by the Board of County Commissioners of all the Impact Fee Ordinance revisions, previously approved upon first reading by the Miami-Dade County Board of Commissioners on February 20, 2007, under Agenda Item No. 14(A)(2).